

CGB-CC-1154

Received & Inspected

NOV 01 2011

FCC Mail Room

Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431
445 12th Street SW
Washington, DC 20554

Petition for Exemption from Closed Captioning Requirements

Introduction

New Life Temple ("A place for a new beginning!") is located in Abilene, TX and was founded in 1980. Our vision is to see people experience NEW THINGS in Christ Jesus and help them to do GREAT THINGS for God. Our continuing mission is to BRING people to know Christ, BUILD and EQUIP them to model Christ and SEND them to do the work of ministry.

We've seen many lives changed through the ministries that continue to serve the community. One way we've seen changes is through providing for the needs of the community through backpack giveaways before the start of the school year. Lives have been changed through the Dream Center which helps men and women, through a discipleship/recovery program, overcome drug addiction and alcoholism and see them restored back into society. These programs among many others have impacted the lives of many.

The title of the program will be called "Life." This program will deal with ever-day life issues and give people a biblical foundation to overcome these life issues. This program will help to reach people we are not currently reaching.

Each episode is 30 minutes long with a 30 second commercial that will air 10 times a week on the 'THIS' Network on Fridays at 7:30AM and Sundays at 8AM. We have a part time Media Coordinator but some of the work will be done by volunteers from the church. Our goal is to reach the young adults from different ethnicities.

For the reasons set forth below, New Life Temple hereby requests an undue burden exemption from the closed captioning rules for "Life", pursuant to § 79.1(f) of the Commission's rules.

Nature and Cost of Closed Captions

U.S. Captioning Company, Inc. charges \$150 per program plus \$75 for commercials. Addition costs include those required by the TV station. Monthly expense on closed captioning would be \$675 plus TV station additional costs. Attached to this petition is a Post Production Price Structure.

Impact on the Operation of the Program Provider

I believe that our organization would suffer a negative impact with an added expense of the closed captioning fee. Currently the cost of the show is \$ 7,800.00 yearly the payroll to produce the show would be \$25,263.68 and upgrade items needed would be \$5,000.00 the closed caption would add an additional \$ 11,960.00. After presenting the cost of each category the cost per show would be \$ 731.99 per episode with the closed caption cost it would increase to \$ 961.99 per episode. This would be a 24% increase to produce the program. Since we are a non-profit organization the donations would have to increase. This would be a difficult thing to do especially the direction our economy has taken.

Financial Resources of the Program Provider

New Life Temple is a tax-exempt 501 (c) 3 organization. The documentation is attached to this request. Also attached is the Income and Expense and a balance sheet for the fiscal year January 1st, 2010 through December 31st, 2010. The main source of income as you can see is through donations. The restricted income for the local church ministries from within hold fundraisers and few donations for expenses the ministries incur or so chose to use for the purpose of their ministry. The main expenses of the church are building, utilities, repairs, payroll, and administrative expenses. Having the added cost of the closed captioning would cause us to possible divert funds in other areas. This decision would have to limit our choices seeing that there are restricted funds and in the middle of a long term building project.

Type of Operations of the Program Provider

New Life Temple serves the community through Discipleship Recovery Programs for Men and Women, providing school supplies for families that are in need, and marriage enrichment programs. Mainly a non-profit religious institution dedicated to serve the community and sharing the gospel.

Other factors

Petitioner believes that the local, non-news exemption to the closed captioning rules also applies to "Life".¹ As noted above, the program is produced and distributed locally, and the sermons of New Life Temple are of primarily local public interest. The episodes are not news,

¹ This exemption is self-implementing, and therefore Petitioner notes its applicability without expecting or requesting FCC action on it.

they do not have repeat value, and the electronic newsroom technique is not available.

Notwithstanding the applicability of the exemption, we have filed this petition in an abundance of caution and for the purpose of establishing certainty.

Conclusion

As shown by this Petition and its attachments, the Commission should grant a waiver of the closed captioning requirements in this case, because requiring closed captioning would create an undue burden. The costs of captioning would be excessively high and would have a significant impact on Petitioner's operations. The Petitioner's type of operations and financial resources are different in kind and magnitude from a mainstream programming provider. Because of the significant difficulty and expense of providing closed captions, a waiver under § 79.1(f) is warranted. If more information is needed, please contact me at the address provided below.

Respectfully submitted,

New Life Temple

By:



Brian Daniel, Music/Media Director

2442 Old Anson Rd

Phone: (325) 676-2121

Fax: (325) 672-0803

Dated:

11/19/11

New Life Temple

30 Minute TV Show Schedule

ELEMENTS

- 2 weekly 30 min. Television Shows, (Friday 7:30am, Sunday 8am.)
- 10, 30 sec. commercials per week to air every month between M-SU 6a-12a.
- Membership in the Tellusmore.com Co-op.



\$75 rate per 30 minute show

Total: \$600 per month for 12 months

4 week month: \$600

5 week month: \$750

client signature

DECLARATION STATEMENT

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FCC Mail Room

I, David Fuentes, am a Administrative Board Member of New Life Temple, and I have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of New Life Temple in this matter, and, upon information and belief, believe the statements regarding our organization and the "LIFE" program to be true and accurate. Furthermore and notwithstanding any language to the contrary, nothing contained herein constitutes nor is intended to constitute an offer, inducement, promise, or contract of any kind. The information contained herein is for informational purposes only.



David Fuentes – Board Member

10/12/2011

Date

New Life Temple
Balance Sheet
As of December 31, 2010

	<u>Dec 31, 10</u>
ASSETS	
Current Assets	
Checking/Savings	
A/G Loan Fund 30 Day Demand	1,552.86
A/G Loan Fund Series D	3,000.00
AGCU - Savings	40.00
First National Bank Baird	24.24
Ministies Bank	195.60
NEW LIFE ENDOWMENT	11,038.14
Petty Cash	98.40
Total Checking/Savings	<u>15,949.24</u>
Other Current Assets	
Advance Payroll	295.00
Total Other Current Assets	<u>295.00</u>
Total Current Assets	16,244.24
Fixed Assets	
Buildings	928,980.27
Construction in progress	39,167.04
Equipment	265,654.69
Land	77,070.00
Vehicles	20,000.00
Total Fixed Assets	<u>1,330,872.00</u>
TOTAL ASSETS	<u><u>1,347,116.24</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Insurance Liability	35.10
MBA Liability	150.00
Pastor's Payroll Liab	1,125.00
WTRC	341.18
Payroll Liabilities	2,443.30
Total Other Current Liabilities	<u>4,094.58</u>
Total Current Liabilities	4,094.58
Long Term Liabilities	
Mortgage Loan	393,364.60
Total Long Term Liabilities	<u>393,364.60</u>
Total Liabilities	397,459.18

New Life Temple
Balance Sheet
As of December 31, 2010

	<u>Dec 31, 10</u>	
Equity		
General Funds		
General Unrestricted Funds	-54,006.28	
Property & Equip. Restric. Fund	931,772.72	
Total General Funds	<u>877,766.44</u>	
Restricted Funds		
Altar Workers Fund	470.65	
Bus Ministry Fund	152.00	
Children's Ministry Fund	420.96	
Dance Ministry Fund	559.89	
Dream Center Fund	1,695.32	
ESL Funds	-39.71	
Evangelism Fund	-156.60	
Girls' Ministry Fund	447.85	
Golden Years Fund	53.57	
Jehovah Nissi Dance Fund	90.00	
Marriage & Enrichment Fund	1,935.97	
Men's Ministry Funds	811.31	
Missions Funds	868.76	
Music Ministry Fund	-1,760.36	
Nursery Funds	-238.98	
Royal Rangers Fund	607.85	
SECTIONAL ROYAL RANGERS FUND	708.79	
SPAAM Funds	523.99	
Spanish Evangelism Fund	-192.55	
Spanish Ministry Fund	381.94	
Spanish Women Fund	-85.16	
Sunday School Funds	2,165.96	
Ushers Fund	4.20	
Vision Project Fund	54,002.34	
Women's Ministry Fund	9,250.96	
Youth Ministry Fund	-788.33	
Total Restricted Funds	<u>71,890.62</u>	
Total Equity		949,657.06
TOTAL LIABILITIES & EQUITY		<u><u>1,347,116.24</u></u>



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS
CAROLE KEETON STRAYHORN • COMPTROLLER • AUSTIN, TEXAS 78774

March 30, 2004

CERTIFICATE OF ACCOUNT STATUS

THE STATE OF TEXAS
COUNTY OF TRAVIS

I, Carole Keeton Strayhorn, Comptroller of Public Accounts of the State of Texas, DO HEREBY CERTIFY that according to the records of this office

NEW LIFE TEMPLE-ABILENE

is exempt from payment of franchise tax and consequently is in good standing with this office.

GIVEN UNDER MY HAND AND
SEAL OF OFFICE in the City of
Austin, this 30th day of
March, 2004 A.D.

Carole Keeton Strayhorn
Texas Comptroller

Taxpayer number: 30119092424
File number: 0142517101



THE GENERAL COUNCIL OF THE ASSEMBLIES OF GOD

1445 NORTH BOONVILLE AVENUE

SPRINGFIELD, MISSOURI 65802-1894

GEORGE O. WOOD
GENERAL SECRETARY

PHONE: (417) 862-2781
FAX: (417) 862-0133

December 17, 2004

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY That New Life Temple, Abilene, Texas, is one of the churches of The General Council of the Assemblies of God as listed in its Official Directory of Churches, revised to September 24, 2004, and appearing on page 89 thereof; and that it is therefore one of the exempt subordinate units covered by the attached exemption letters issued to us by the Internal Revenue Service under the 501(c)(3) ruling of the federal tax code.

Any favor that can be shown to this church will be sincerely appreciated.

Sincerely yours,

George O. Wood
General Secretary

GW:dh

Internal Revenue Service



Date: May 12, 2004

General Council of the Assemblies of God
1445 N. Boonville Ave.
Springfield, MO 65802-1894

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:

Mrs. Bonnie Lawson #31-07572
Customer Service Representative

Toll Free Telephone Number:

8:00 a.m. to 6:30 p.m. EST
877-829-5500

Fax Number:

513-263-3756

Dear Sir or Madam:

Thank you for submitting the information shown below. The changes indicated do not adversely affect the exempt status of your organization. The exemption letter previously issued continues in effect.

Please advise us of any future change in the character, purpose, method of operation, name, or address of your organization. Such notification is a requirement for retaining exempt status.

Thank you for your cooperation.



Sincerely,

Janna K. Skufca, Director, TE/GE
Customer Account Services

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MAY 18 2004

General Accounting Service



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May. 07, 2002 LTR 11690 E

GENERAL COUNCIL OF THE ASSEMBLIES
OF GOD
1445 N BOONVILLE AVE
SPRINGFIELD, MO 65802-1894

GEN Number: 1678
Name Of Organization: GENERAL COUNCIL OF THE ASSEMBLIES
OF GOD
Tax Period Ending: Mar. 31, 2002
Form: SGRI

Dear Taxpayer:

Thank you for sending the annual supplemental information about your subordinate organizations as required by Revenue Procedure 80-27 to keep the tax exempt status for your group.

We have made the requested changes to your exemption roster. No further information is needed.

If you have any questions, please call Ms. Moss at (801)620-6348 between the hours of 7:00 a.m. and 2:00 p.m. MT or Mr. Cap at (801)620-7109 between the hours of 4:00 p.m. to 12:00 a.m. MT. If this number is outside your local calling area, there will be a long-distance charge to you. If you prefer, you may write to us at the address shown at top of the first page of this letter.

Whenever you write, please include this letter and, in the spaces below, give us your telephone number with the hours we can reach you. Also, you may want to keep a copy of this letter for your records.

Telephone Number () _____ Hours _____

Thank you for your cooperation.

Sincerely yours,

Jolene Thomas

Jolene Thomas
Dept. Manager, Code & Edit/Entity 3



U. S. TREASURY DEPARTMENT
INTERNAL REVENUE SERVICE
WASHINGTON 25, D. C.

IN REPLY REFER TO
T:R:EO:5
JJF

AUG 31 1964

General Council of the Assemblies
of God
1445 Boonville Avenue
Springfield, Missouri 65802

Gentlemen:

We have considered your request for a group ruling holding your subordinate units exempt from Federal income tax as organizations described in section 501(c)(3) of the Internal Revenue Code of 1954.

Our records disclose that you were held exempt from Federal income tax under section 231(6) of the Revenue Act of 1921 on April 15, 1922. On September 14, 1935 you were held exempt under section 101(6) of the Revenue Act of 1934, which ruling was affirmed under the Revenue Act of 1936 on April 27, 1938. On September 20, 1955 the District Director held that since section 501(c)(3) of the 1954 Internal Revenue Code contains the same provisions as section 101(6) of the prior Revenue Acts, previous rulings are held to be applicable under the 1954 Code.

Based upon the information presented, it is held that your subordinate departments, district councils, churches, institutions, organizations, schools and colleges, whose names appear in your Directory, revised to January 1, 1964, are exempt from Federal income tax as organizations described in section 501(c)(3) of the Internal Revenue Code of 1954 as it is shown that they are organized and operated exclusively for religious purposes.

You and your subordinate units are not required to file Federal income tax returns so long as a tax exempt status is maintained.

It will not be necessary for you and your subordinate units to file the annual information return, Form 990-A, generally required of organizations exempt under section 501(c)(3) of the Code, as the specific exceptions contained in section 6033(a) of the Code are applicable.

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GENERAL SECRETARY'S
OFFICE

-2-

General Council of the Assemblies of God

Contributions made to you and your subordinate units are deductible by the donors as provided by section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to or for the use of you and your subordinate units are deductible for Federal estate and gift tax purposes as provided by sections 2055, 2106 and 2522 of the Code.

You and your subordinate units are not liable for the taxes imposed under the Federal Insurance Contributions Act (social security taxes) unless waiver of exemption certificates are, or have been, filed as provided in that Act. Inquiries about the waiver of exemption certificates should be addressed to the District Director concerned. You and your subordinate units are not liable for the taxes imposed under the Federal Unemployment Tax Act.

For next year, and for each succeeding year thereafter, please send us the following information not later than forty-five days after the close of your annual accounting period:

1. Lists showing the names and mailing addresses of your new subordinate units and the names and addresses of any units which have ceased to exist or have changed their names or addresses. The names should be arranged in alphabetical or numerical order. In lieu of the lists referred to above you may furnish us with a copy of your published directory. Please send us one copy of the list or directory for this office and one copy for each district in which your subordinate units are located.
2. A statement signed by one of your principal officers stating whether or not the information upon which your original group ruling was based is applicable in all respect to the new subordinate units.
3. A statement if, at the close of the year, there were no changes in your roster.

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General Council of the Assemblies of God

4. A statement of any changes in the character, purposes or method of operation of your organization or those of your subordinate units.

5. Duplicate copies of amendments to charters or bylaws of your organization or those of your subordinate units.

You should advise each of your exempt subordinate units of the exemption and the pertinent provisions of this ruling including the liability, if any, for filing information or other returns.

The District Directors concerned are being advised of this action.

Very truly yours,

A handwritten signature in cursive script, appearing to read "R. J. Stakem".

Chief, Exempt Organizations Branch

USC Post Production Price Structure

Pop-up 3 business-day turnaround	\$300 per program hour	0-15 minutes	\$75.00
		16-30 minutes	\$150.00
		31-45 minutes	\$225.00
		46-60 minutes	\$300.00
Pop-up 7 business-day turnaround	\$275 per program hour	0-15 minutes	\$68.75
		16-30 minutes	\$137.50
		31-45 minutes	\$206.25
		46-60 minutes	\$275.00
Roll-up 3 business-day turnaround	\$275 per program hour	0-15 minutes	\$68.75
		16-30 minutes	\$137.50
		31-45 minutes	\$206.25
		46-60 minutes	\$275.00
Roll-up 7 business-day turnaround	\$250 per program hour	0-15 minutes	\$62.50
		16-30 minutes	\$125.00
		31-45 minutes	\$187.50
		46-60 minutes	\$250.00

Discount for providing 100% fully-edit transcript: \$75 per program hour

Invoice terms: Net 10 billed monthly

Post-Production process:

Producer will provide USC with a Windows Media or Quicktime program file, uploaded to USC designated FTP site. In return, USC will provide producer with an .scc or .cc captioning file that producer will be responsible for editing into the show. Testing will be provided in advance to insure file compatibility with producer's editing software.